

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: *James M. Denny, Jr.* )  
App. No.: 10/688,363 )  
Filed: October 17, 2003 )  
Examiner: Raj, Rajiv J.  
Group Art Unit: 3686  
Docket No.: 10785-41972  
Confirmation No. 2281

Title: **CORRECTING AND MONITORING STATUS OF HEALTH CARE CLAIMS**

**CERTIFICATE UNDER 37 CFR 1.8**

I hereby certify that this correspondence was ☐ sent via U.S. mail addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, ☐ sent via facsimile No. 571 273 8300, or ☒ filed electronically via EFS-Web on November 6, 2009.

By: 

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PATENT TRADEMARK OFFICE

**AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION AND RECORD OF  
INTERVIEW ACCOMPANYING REQUEST FOR CONTINUED EXAMINATION**

Dear Sir:

In response to the final Office Action of May 7, 2009, Applicant respectfully requests entry of the following amendments and consideration of the following remarks. This Amendment is submitted in compliance with 37 C.F.R. § 1.121 and contains the following separate sections that start on a separate sheet:

**Record of Interview** begins on page 2 of this paper.

**Amendments to the Claims** begin on page 4 of this paper.

**Remarks/Arguments** begin on page 9 of this paper.

### **Record of Interview**

Applicants, through the attorney identified below, thank Examiners Rajiv J. Raj and Vivek Srivastava for granting Applicants a telephone interview on November 2, 2009.

Pursuant to 37 C.F.R. § 1.133(b), the following is submitted as a complete written statement of the reasons presented at the interview as warranting favorable action. The following statement is intended to comply with the requirements of MPEP § 713.04 and expressly sets forth: (A) a brief description of the nature of any exhibit shown or any demonstration conducted; (B) identification of the claims discussed; (C) identification of specific prior art discussed; (D) identification of the principal proposed amendments of a substantive nature discussed; (E) the general thrust of the principal arguments; (F) a general indication of any other pertinent matters discussed; and (G) the general results or outcome of the interview, if appropriate.

On November 2, 2009, the undersigned contacted the Examiner to discuss the Office Action of May 7, 2009, and potential claim amendments and arguments to overcome the 35 U.S.C. §§ 101 and 103(a) rejections contained therein. (A) No exhibits were shown or discussed; (B) independent claim 22 was specifically discussed; (C) the *Chapman et al.* reference (U.S. Patent No. 6,879,959), *Little et al.* reference (U.S. Patent No. 5,350,509), and *Provost et al.* reference (U.S. Patent No. 6,341,265) were discussed; (D) amendments in accordance with the amendments presented in this paper were discussed; (E) arguments in accordance with those presented in this paper were discussed; (F) the Examiner indicated that he would be amenable to submission of a Supplemental Amendment subsequent to the filing of this Amendment; and (G) the general results of the interview were that, in response to the 35 U.S.C. § 101 rejection of the claims, Applicants would present claim amendments indicating the claimed processes are tied to a “particular machine” (e.g., certain claim steps are performed “via a processor at an intermediary claim management system”). Further, Applicants (through the attorney identified below) suggested that two points of novelty of the claimed methods are (i) “profiling payers” to enable report generation and status identification of claims based on payer rules and patterns, and (ii) categorizing error messages received from payers to identify common claim problems across

a plurality of payers and enable easier error identification and correction on the part of providers. Applicants indicated that, given a limited time frame to prepare an Amendment due to extenuating circumstances, claim amendments directed to at least these two concepts would be provided via a Supplemental Amendment subsequent to the filing of the current Amendment. The Examiner indicated that he was amenable to receipt of such a Supplemental Amendment, and that such amendments may potentially overcome the rejections contained in the Office Action, although a further search may be necessary.

The amendments and remarks that follow herein are intended to be consistent with the discussion during the interview.

In the event that the foregoing record is not considered complete and accurate, the Examiner is respectfully requested to bring any incompleteness or inaccuracy to the attention of the undersigned.